

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AMENDING  
SUBSECTION 13.0613(i)(2)(A) OF THE SAN BERNARDINO COUNTY CODE, RELATING TO  
BENEFITS OF EXEMPT OFFICERS AND EMPLOYEES.

The Board of Supervisors of the County of San Bernardino, State of California, ordains as follows:

SECTION 1. Subsection 13.0613(i)(2)(A) of the San Bernardino County Code is  
amended, to read:

**13.0613 Exempt Group Working Conditions.**

(i)(2)(A) County Contributions.

Effective June 30, 1990, for all employees hired before July 1, 1996, and for all elected officials, the  
County will pick up a portion of the employee's required contribution to the San Bernardino County  
Employees' Retirement Association (SBCERA) in the amount of seven percent (7%) of the employee's  
earnable compensation as defined in the SBCERA bylaws.

Except as provided below, effective July 1, 1996, through December 18, 1998, (PP27/98),  
employees hired on or after July 1, 1996, shall not be eligible for the County's pick up of seven percent (7%)  
of the employee's earnable compensation as specified above until the employee has been continuously  
employed by the County and participated in the County's Retirement System for a period of five (5)  
consecutive years (10,400 service hours).

Except as provided below, effective December 19, 1998, (PP1/99), for employees originally hired on  
or after July 1, 1996, the County will pick up a portion of the employee's required contribution to the  
SBCERA according to the following schedule:

Number of Completed Service Hours	Approximate Years	Percentage of County Pick-Up
0 through 5,199	0 – 2.5	0.00%
5,200 through 8,319	2.5 – 4.0	1.75%
8,320 through 10,399	4.0 – 5.0	3.25%
10,400 and thereafter	5.0 and thereafter	7.00%

Notwithstanding the foregoing, employees who worked for the County prior to July 1, 1996,  
participated in the County's retirement system, were separated from County service, and subsequently  
returned to County service after July 1, 1996, shall receive the seven percent (7%) pickup prior to the  
completion of five (5) consecutive years of employment, only if the individual employee meets the following  
conditions: The retirement contributions were not withdrawn from the system or having withdrawn the same,

1 the individual employee elects to redeposit such funds with applicable interest in the SBCERA.

2 Notwithstanding the foregoing, the County Administrative Officer shall receive the seven percent  
3 (7%) pickup if the individual contributed to public sector retirement systems over a ten-year period and did  
4 not withdraw the contributions from the system or systems. Additionally, the County Administrative Officer  
5 may approve provision of the pickup for Exempt group employees if provision of the pickup is necessary for  
6 recruitment or retention purposes.

7 The percentages specified shall apply to the employee's earnable compensation as defined in the  
8 SBCERA bylaws. The employee must be continuously employed by the County and have participated in  
9 the County's Retirement System for the stated length of time. Additionally, Exempt employees shall  
10 receive the following amounts biweekly to be applied under this section: Group A employees, one hundred  
11 seventy-five dollars and thirty-eight cents (\$175.38) per biweekly pay period; Group B employees, one  
12 hundred twenty-nine dollars and twenty-three cents (\$129.23) per biweekly pay period; Group C employees,  
13 eighty three dollars and eight cents (\$83.08) per biweekly pay period.

14 The employee must choose to have the contributions designated as all employer or all employee  
15 contributions for retirement purposes. If the employee designates the pick up as employer contributions,  
16 then for each dollar applied, the employee's retirement obligation shall be satisfied in the amount of the  
17 actuarial value of that dollar to the Retirement Association as determined by the Board of Retirement, and  
18 the employee may not withdraw this contribution from the Retirement Association.

19 If the employee designates the pick up as employee contributions, then for each dollar applied, the  
20 employee's retirement obligation shall be satisfied in the amount of one dollar (\$1.00), and upon separation  
21 without retirement, an employee may withdraw this contribution from the Retirement Association. Upon  
22 retirement or separation, all contributions applied under this section will be considered for tax purposes as  
23 employer-paid contributions.

24 If the employee does not file a designation, the contributions shall be made as employee  
25 contributions. Employees receiving Retirement System contributions under the Benefit Plan in effect prior to  
26 the effective date of this section shall continue to have contributions under this section applied (as employer  
27 or employee contributions for retirement purposes) in the same manner as previously applied for the  
28 employee until a revised designation is made by the employee.

Any dollars which are remaining after all Retirement System obligations are fully satisfied shall be  
paid to the employee in taxable cash.

///  
///  
///

SECTION 2. This ordinance shall take effect immediately upon adoption, pursuant to  
the provisions of Government Code section 25123.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

\_\_\_\_\_  
JON D. MIKELS, Chairman  
Board of Supervisors

SIGNED AND CERTIFIED THAT A COPY  
OF THIS DOCUMENT HAS BEEN DELIVERED  
TO THE CHAIRMAN OF THE BOARD

EARLENE SPROAT, Clerk of the Board of Supervisors

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF SAN BERNARDINO )

I, EARLENE SPROAT, Clerk of the Board of Supervisors of the County of San Bernardino,  
State of California, hereby certify that at a regular meeting of the Board of Supervisors of said County and  
State, held on the \_\_\_\_\_ day of \_\_\_\_\_, 2000, at which meeting were present Supervisors:

\_\_\_\_\_  
and the Clerk, the foregoing ordinance was passed and adopted by the following vote, to wit:

AYES: SUPERVISORS:

NOES: SUPERVISORS:

ABSENT: SUPERVISORS:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the  
Board of Supervisors this \_\_\_\_ day of \_\_\_\_\_, 2000.

EARLENE SPROAT,  
Clerk of the Board of Supervisors of the County of  
San Bernardino, State of California

\_\_\_\_\_  
Deputy

COUNTY COUNSEL  
APPROVED \_\_\_\_\_  
BY: \_\_\_\_\_  
DEPUTY COUNTY COUNSEL